

**THIRD DAY**

(Continued)

(Wednesday, November 18, 1992)

**AFTER RECESS**

The Senate met at 11:00 a.m. and was called to order by the President.

**MESSAGE FROM THE HOUSE**

House Chamber  
November 18, 1992

The Honorable Bob Bullock  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**H.C.R. 10**, Congratulating C. C. "Buck" Elliott on the occasion of his retirement from the Lone Star Gas Company.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

(Senator Brooks in Chair)

**CAPITOL PHYSICIAN**

Senator Barrientos was recognized and presented Dr. Michael Lifshen of Austin as the "Doctor for the Day."

The Senate welcomed Dr. Lifshen and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Barrientos and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Education might consider **S.B. 1** today.

(Senator Ratliff in Chair)

**CONGRATULATORY RESOLUTIONS**

**S.C.R. 8** - By Barrientos: Extending congratulations to IBM Austin for being one of only nine recipients of the 1992 Presidential Medal for environmental achievement under President George Bush's Environment and Conservation Challenge Awards program.

**S.R. 29** - By Turner: Recognizing the Rock Prairie School and Church on the grand occasion of its Official Texas Historical Marker dedication on November 22, 1992.

**S.R. 31** - By Barrientos: Extending congratulations to the Stephen F. Austin High School girls volleyball team for its superb 1992 season.

**S.R. 34** - By Ellis: Extending best wishes to Melba Lee-Hosey for a rewarding and successful tenure on the Board of Vocational Nurse Examiners.

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**S.R. 35** - By Lucio: Extending congratulations to Mr. and Mrs. Leonel Oliveira, Sr., on their 50th wedding anniversary.

**RECESS**

On motion of Senator Brooks, the Senate at 11:33 a.m. took recess until 2:00 p.m. tomorrow.

**In Memory****of****The Honorable Dorsey B. Hardeman**

Senator Sims offered the following resolution:

**(Senate Concurrent Resolution 1)**

WHEREAS, Members of the Texas Legislature were saddened by the loss of one of the state's most respected public servants, the Honorable Dorsey B. Hardeman, who died August 11, 1992, at the age of 89; and

WHEREAS, A native of Henderson, Tennessee, Dorsey Hardeman was the son of N. B. and JoAnna Hardeman; he was educated at Freed-Hardeman College founded by his father and A. G. Freed in 1908, and received his law degree from Vanderbilt University; and

WHEREAS, Senator Hardeman moved to Texas in 1932 and established a law practice in San Angelo; he was elected mayor of the city in 1936; and

WHEREAS, The former state senator and state representative from San Angelo faithfully served the people of Texas for 26 years, becoming one of the most powerful legislators in the state when he was appointed as chairman of the Senate State Affairs Committee; and

WHEREAS, An authority on the state constitution as well as legislative procedure, he worked fervently to protect the interests of the state; and

WHEREAS, As a legislator Senator Hardeman was a strong supporter of the Stacy Dam and Reservoir of the Upper Colorado River; he also sponsored a revised Code of Criminal Procedure and helped establish a state university in San Angelo; and

WHEREAS, Appointed executive director of the Texas Water Commission by Governor Preston Smith, Senator Hardeman served in that capacity until his retirement from state government in 1982; and

WHEREAS, His lifetime of work for the public good and selfless devotion to his city and state were exemplary; and

WHEREAS, The adopted son of Texas became an ardent scholar of Texas history and was committed to its preservation; proud of his own heritage, Senator Hardeman was a member of the Sons of the American Revolution, Sons of the Republic of Texas, Knights of San Jacinto, and Sons of Confederate Veterans and a life member of the Texas State Historical Association; and

WHEREAS, His varied interests included ownership in the Saint Angelus Hotel and a title company in West Texas and farming and ranching enterprises in Texas and Colorado; and

WHEREAS, The State of Texas has benefitted immeasurably from the wisdom and dedication of this illustrious public servant who conscientiously performed his duties in an exemplary manner; now, therefore, be it

RESOLVED, That the 72nd Legislature of the State of Texas, 4th Called Session, hereby pay tribute to the life of the Honorable Dorsey B. Hardeman and extend sincere condolences to the members of his family: his wife, Geneva; his sons, Mark and Bryan Hardeman; his grandchildren, William, Genny, and Joy Hardeman; and his niece and two nephews; and, be it further

RESOLVED, That a copy of this resolution be prepared for the members of his family as an expression of deepest sympathy, and that when the legislature adjourns this day, it do so in memory of Dorsey B. Hardeman.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

Senator Sims was recognized and introduced to the Senate Mrs. Geneva Hardeman, her son Bryan, his wife Rebecca, and their children, William, Genny and Joy. Senator Sims also introduced friends of the family, Tom and Nancy Rodman of Odessa and Mrs. Florine Ramsey of Austin.

At the request of the President, Mrs. Geneva Hardeman and family were escorted to the President's Rostrum by Senator Sims. An enrolled copy of S.C.R. 1, previously read and adopted on Tuesday, November 10, 1992, was presented to the family by the President.

**In Memory  
of  
Joseph Schwartz**

Senator Brooks offered the following resolution:

**(Senate Concurrent Resolution 5)**

WHEREAS, The Legislature of the State of Texas noted with deep sorrow the passing of Joseph Schwartz of Galveston, an esteemed businessman and civic leader who lived the American dream from immigrant to exemplary citizen and who died July 23, 1992, at the age of 91; and

WHEREAS, This remarkable individual, who immigrated to America at an early age, became a prominent citizen of Galveston and a friend of the Texas Legislature as he visited the Senate during the 21-year tenure of his son, A. R. "Babe" Schwartz; and

WHEREAS, A native of Russia, Joseph Schwartz was born on June 6, 1901, in Solomievka; he attended the Hebrew Yeskvoah College in Klevan and Kovno, Poland; and

WHEREAS, After working three years in a grocery store in the seaport city of Odessa, passage was arranged for young Joseph by his parents and Oscher Bulbe to Havana, Cuba, where he was met by his intended spouse, Clara Bulbe; they married and on March 25, 1925, the first child, I. Louis Schwartz, was born of that marriage, providing the second requirement for admission to the United States, whereupon the new family promptly sailed to Galveston; and

WHEREAS, Joseph Schwartz was hired at the Paskowitz Dry Goods Company in Galveston where he began learning English in addition to his other language skills; a second child, Aaron Schwartz, was born, and Mr. Schwartz changed employment to the Victory Army and Navy Store, which he and his two partners eventually bought; and

WHEREAS, Mr. Schwartz subsequently married Ida Isenman and they raised yet another family of three children, and he and Ida opened their own business, known as Schwartz's, in April of 1941, which became a highly successful clothing store; and

WHEREAS, The recipient of many awards for his involvement in religious, business, and civic organizations, Mr. Schwartz freely offered his abilities and energies to his synagogue and community for the benefit of others; and

WHEREAS, He was ever mindful that no family members or relatives survived the Nazi Holocaust that ravaged the Russia and Poland of his childhood, and he maintained his Judaic heritage and education through the Congregation Beth Jacob which honored him for his many years of outstanding leadership in the service of that congregation; among others, he received the Ben Gurion Award from the State of Israel and the Award of Merit from the United Jewish Appeal; and

WHEREAS, A pioneer and builder, Mr. Schwartz will be remembered for his devotion to his faith, his family, and the people of Galveston; now, therefore, be it

RESOLVED, That the 72nd Legislature of the State of Texas, 4th Called Session, hereby extend deepest sympathy to the family of Joseph Schwartz:

his children, I. Louis and Audrey Schwartz, Senator A. R. "Babe" and Marilyn Schwartz, Phyllis and Dr. Bernard A. Milstein, Steven J. Schwartz, and Ronald M. and Beth Schwartz; and his 13 grandchildren and 10 great-grandchildren; and, be it further

RESOLVED, That a copy of this resolution be prepared for his family as an expression of respect from the Texas Legislature for the inspirational life and achievements of Joseph Schwartz and the American tradition which he fostered through his perseverance, and that when the legislature adjourns this day, it do so in memory of Joseph Schwartz.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

Senator Brooks introduced Senator and Mrs. A. R. "Babe" Schwartz to the Senate. The Senate expressed their deepest sympathy to Senator and Mrs. Schwartz.

The resolution was previously read and adopted on Tuesday, November 17, 1992.

**In Memory****of****The Honorable Robert Lee "Bob" Vale**

Senator Barrientos offered the following resolution:

**(Senate Resolution 30)**

WHEREAS, The Senate of the State of Texas noted with great sorrow the passing of former Senator Robert Lee "Bob" Vale, who died July 1, 1992, at the age of 60; and

WHEREAS, A dynamic and tireless leader, Senator Vale is best remembered for his concerns for the working people who needed his support; and

WHEREAS, He labored diligently to improve education, health care, and environmental protection throughout the state; and

WHEREAS, Noted for his analytical mind and thoroughness, Senator Vale earned the respect and admiration of his colleagues; and

WHEREAS, His remarkable political career spanned 20 years in both the Texas House of Representatives and the Senate; and

WHEREAS, After serving with distinction in the Texas House of Representatives for six terms, Bob Vale was elected to the Texas Senate in 1978 as the Senator for District 26; and

WHEREAS, Through his resolute determination he was instrumental in securing funds and land for The University of Texas at San Antonio and The University of Texas Health Science Center at San Antonio; and

WHEREAS, Known as an advocate for greater representation for student and worker organizations, Senator Vale showed his compassion for people who lacked political power; and

WHEREAS, A reform legislator, Senator Vale was proud of his work as a member of the House's "Dirty Thirty" and the Senate's "Killer Bees"; and

WHEREAS, Born in Roma, Texas, Senator Vale was a graduate of Saint Mary's University School of Law; he returned to San Antonio to practice law after serving his country in Korea; and

WHEREAS, A devoted family man, Senator Vale was strengthened by the love and support of his wife, Theresa, and his children, Kathleen, Shelagh, Maureen, and Michael; and

WHEREAS, Texas lost a fine man, a loyal friend, and a capable public servant whose efforts will continue to bear fruit in the years to come; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 72nd Legislature, 4th Called Session, hereby extend sincere condolences to the members of his family: his wife, Theresa; his daughters, Kathleen O'Hara, Shelagh Reitman, and Maureen T. Vale; his son, Michael Gerard Vale; his brothers, Joseph Joel, Franklin, Margil, Raymond, and Albert; his sisters, Juanita V. Garza, Sylvia V. Morris, and Irma V. Brown; and his grandchild; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the members of the family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of the Honorable Robert Lee "Bob" Vale.

BARRIENTOS  
LUCIO  
TEJEDA  
TRUAN  
ZAFFIRINI

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Barrientos and by unanimous consent, the resolution was adopted by a rising vote of the Senate.



**In Memory**

of

**Luther Louis Hering**

Senator Barrientos offered the following resolution:

**(Senate Resolution 32)**

WHEREAS, The Senate of the State of Texas joins with the citizens of McGregor and Elgin in mourning the loss of Luther Louis Hering who died April 7, 1992, at the age of 104; and

WHEREAS, Born November 29, 1887, in Welcome, Texas, to Charles Gustoph Hering and Louise Schmidt, Luther "Doc" Hering and his family moved to McGregor in 1895; and

WHEREAS, He grew up working hard in the fields with his six brothers and five sisters and later attended business college in Tyler, Texas; and

WHEREAS, Returning to McGregor to join his father in farming, Doc was dedicated to a career in agriculture for the next 75 years; and

WHEREAS, Doc married Minnie Townsend in March, 1911, and the couple had two sons, Lonnie and Charles; to their great sorrow, Lonnie died at an early age; their son, Charles, however, became a state senator and was the source of much pride and joy to Doc and Minnie throughout their lives; and

WHEREAS, Doc moved to Elgin in 1982, where he continued his gardening, canning, and baking endeavors and his keen interest in national and international affairs through newscasts and news magazines; and

WHEREAS, Respected in the community for his many accomplishments, Doc was an exemplary gentleman with an engaging personality who lived his life to the fullest; and

WHEREAS, Well known for his high moral principles, he was a man of integrity, strength, courage, and generosity who gave unselfishly of his time to others; and

WHEREAS, His wisdom, warmth, high spirits, and beloved sense of humor will not be forgotten by those who knew him; and

WHEREAS, Doc Hering was a devoted husband, father, and grandfather, and he leaves behind memories that will be treasured forever by his family and many friends; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 72nd Legislature, 4th Called Session, hereby extend sincere condolences to the bereaved family of Luther Louis Hering: his son, Charles F. Herring; his grandchildren, Carol Weir, Ann McDonald, Charles F. Herring, Jr., and Toni Herring; and his eight great-grandchildren and three great-great-grandchildren; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the members of his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Luther Louis Hering.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Barrientos and by unanimous consent, the resolution was adopted by a rising vote of the Senate.

**In Memory**

of

**Donald W. Ray**

Senator Barrientos offered the following resolution:

**(Senate Resolution 33)**

WHEREAS, The State of Texas lost one of its most illustrious citizens with the death of Donald W. Ray of Austin on January 21, 1992; and

WHEREAS, An attorney and former public official, Mr. Ray's enormous talent and prodigious intelligence added luster to his every endeavor; and

WHEREAS, A native son of Texas, Mr. Ray was an extraordinarily responsible Texan who was proud of his roots, his family's role in the state's development, and his Texas heritage; and

WHEREAS, Born in Santa Anna, Texas, this distinguished gentleman received his bachelor of business administration degree from North Texas State University before graduating from The University of Texas School of Law in 1968; and

WHEREAS, Imbued with a deep-seated conviction that government service was an honorable career and one in which he could best help his fellow Texans, Mr. Ray served as general counsel to two secretaries of state, Bob Bullock and Martin Dies, Jr.; and

WHEREAS, A man of utmost honesty and integrity, Mr. Ray was guided throughout his life by an enduring idealism and firm faith in his fellowman and his country; and

WHEREAS, During the frequently tense and acrimonious debates of the Texas Constitutional Convention of 1974, Mr. Ray was an able legal counsel to the President of the Convention; and

WHEREAS, Following the election of Bob Bullock as Comptroller of Public Accounts, Mr. Ray served him loyally and well as both general counsel and deputy comptroller in charge of the state's tax collection, legal, audit, and tax enforcement division; and

WHEREAS, In April, 1977, Mr. Ray left government service to found the highly regarded law firm of Ray, Wood and Fine; managing partner of the firm, he developed a successful administrative and litigation practice; and

WHEREAS, A proud and exemplary husband and parent, Mr. Ray cherished the time he spent with his family and instilled in his children his own personal code of honor; and

WHEREAS, To those privileged to know him, Mr. Ray was a gentleman in the truest sense of the word, and he will be forever gratefully remembered for his great compassion; and

WHEREAS, A treasured friend and companion, his death is an incalculable loss for all those who knew and loved him; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 72nd Legislature, 4th Called Session, hereby extend sincere condolences to the members of his family on their grievous loss: his wife, Jane Shaw Ray; his sons, Doug W. Ray and Derek W. Ray; his stepchildren, Jennifer and David Shaw; his father, John W. Ray; and his sister, Martha Pritchard; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the members of his family as an expression of deepest sympathy from the Texas

Senate, and that when the Senate adjourns this day, it do so in memory of Donald W. Ray.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Barrientos and by unanimous consent, the resolution was adopted by a rising vote of the Senate.